Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number **Application Number** 10/774 746 TRANSMITTAL Filing Date February 9, 2004 First Named Inventor **FORM Todd Ovokaitys** Art Unit 3762 **Examiner Name** Unknown (to be used for all correspondence after initial filing) Attorney Docket Number 2200.GEMA.NP Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC Petition Amendment/Reply (Appeal Notice, Brief, Reply Brief) Petition to Convert to a Proprietary Information After Final **Provisional Application** Power of Attorney, Revocation Affidavits/declaration(s) Status Letter Change of Correspondence Address Other Enclosure(s) (please Identify Terminal Disclaimer Extension of Time Request below): Return Postcard Request for Refund Express Abandonment Request CD, Number of CD(s) Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) The Commissioner is hereby authorized to credit any overpayment or debit any amount owing to Reply to Missing Parts/ Deposit Account No. 502720. Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Bateman IP Law Group Signature Printed name Randall B. Bateman Date Reg. No. 37,774 **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

the date shown below:

Signature

Randall B. Bateman Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

SEP 1 9 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:

Ovokaitys, Todd

APPLICATION NO.:

10/774,746

FILING DATE:

02-09-2004

TITLE:

Enhanced Bioavailability of

Nutrients, Pharmaceutical Agents...

ART UNIT:

3762

EXAMINER:

DOCKET NO.:

2200.GEMA.NP

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Mail Stop Amendment - No Fee, P.O. Box 1450, Commissioner of Patents, Alexandria, VA 22313-1450

Signat

Date of Deposit

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)

Mail Stop Non-Fee Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.98(a)(1), enclosed is Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Information Disclosure Statement is filed, pursuant to 37 C.F.R. § 1.97(b), within three months of the filing date of the application, or before the issuance of a first office action. Applicant requests that the references cited in the enclosed form PTO-1449 be made of record in the above referenced application. While no representation is made that any of the references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no reference which is more relevant to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference or relevant portion thereof which is not a U.S. Patent or Patent Application and which has not been

previously disclosed is also enclosed. Any listed reference that is not in the English language is accompanied by a concise explanation in English of its relevance as required under 37 C.F.R. § 1.98(a)(3)(i).

Applicant believes that no fee is necessary in connection with this information Disclosure Statement.

Please charge any additional fees or credit any overpayment to Deposit Account No. 50-0270.

Dated this 16 day of Sept., 2005.

Respectfully submitted,

BATEMAN IP LAW GROUP

Randall B. Bateman

Reg. No. 37,774

8 East Broadway, Suite 550

P.O. Box 1319

Salt Lake City, UT 84110

Tel. (801) 533-0320

Fax. (801) 533-0323

E-mail: <u>rbb@utah-ip.com</u>

PTO/SB/08A (08-03)

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Substitute for form 1449/PTO

Sheet

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of

Complete if Known				
Application Number	10/774,746			
Filing Date	02-09-2004			
First Named Inventor	Ovokaitys			
Art Unit	3762			
Examiner Name				
Attorney Docket Number	2200.GEMA.NP			

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.1	Document Number Number-Kind Code ^{2 (if Known)}	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- 4,536,883	08-20-1985	Chapline, Jr.	
		US- 4,834,474	05-30-1989	George et al.	
		US- 4,951,663	08-28-1990	L'Esperance, Jr.	
		US- 5,288,995	02-22-1994	Strachan	
		US- 5,658,234	08-19-1997	Dunlavy	
		US- 6,064,500	05-16-2000	Strachan	
		US- 6,811,564	11-02-2004	Strachan	
	1				

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	Foreign Patent Document Country Code ³ Number Code ⁴ Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
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Examiner Signature	Dat Coi	ate onsidered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. sKind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

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If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.